

**TUMWATER CITY COUNCIL MEETING  
MINUTES OF HYBRID MEETING  
November 15, 2022 Page 1**

**CONVENE:** 7:07 p.m.

**PRESENT:** Mayor Debbie Sullivan and Councilmembers Peter Agabi, Michael Althausen, Joan Cathey, Angela Jefferson, Charlie Schneider, and Eileen Swarthout.

Excused: Councilmember Leatta Dahlhoff.

Staff: City Administrator John Doan, Fire Chief Brian Hurley, Finance Director Troy Niemeyer, Parks and Recreation Director Chuck Denney, and City Clerk Melody Valiant.

**SPECIAL ITEMS:**

**PROCLAMATION:  
AMERICAN INDIAN  
AND ALASKA  
NATIVE HERITAGE  
MONTH,  
NOVEMBER 2022:** Mayor Sullivan read a proclamation encouraging everyone to commemorate this month with appropriate programs, activities, and celebrations in honor of America's indigenous peoples.

**PROCLAMATION:  
NATIONAL  
VETERANS AND  
MILITARY  
FAMILIES MONTH,  
NOVEMBER 2022:** Councilmember Jefferson read a proclamation declaring the month of November 2022 as *National Veterans and Military Families Month*. The proclamation encouraged everyone to recognize and support veterans and military families, who embody strength, resilience, courage, and whose experiences enrich our community.

Shane Sullivan representing veterans served by the Lacey Veterans Services Hub, accepted the proclamation from Mayor Sullivan. The Hub assists veterans and their families with medical enrollment, physical disability claims, assistance with employment, preparation of resumes, and other services.

**FIREFIGHTER OF  
THE YEAR:** Fire Chief Hurley announced the selection of the 2022 City of Tumwater Firefighter of the Year as Fire Prevention Officer Mark Armstrong. Fire Prevention Officer Armstrong joined the Tumwater Fire Department in 1999. He received a promotion in 2021 to the position of Fire Prevention Officer.

Fire Chief Hurley presented Fire Prevention Officer Armstrong with a U.S. Flag flown over the Washington D.C. Capitol and the Washington State Capitol. He presented him with a plaque for his selfless and dedicated service to the Tumwater Fire Department.

**PUBLIC COMMENT:** There were no public comments.

**CONSENT** a. Approval of Minutes: City Council Worksession, September 27, 2022

**TUMWATER CITY COUNCIL MEETING  
MINUTES OF HYBRID MEETING  
November 15, 2022 Page 2**

**CALENDAR:**

- b. Approval of Minutes: City Council, October 11, 2022
- c. Approval of Minutes: Joint City of Olympia & City of Tumwater Meeting, October 25, 2022
- d. Approval of Minutes: City Council, November 1, 2022
- e. Payment of Vouchers
- f. Ordinance No. O2022-022, Ad Valorem for Regular Property Taxes for the Fiscal Year 2023
- g. Ordinance No. O2022-024, TMC 6.04 Dogs, Cats and Other Pets
- h. Interlocal Agreement between the City of Tumwater and the Tumwater School District for the School Resource Officer program
- i. Percival Creek Fish Passage Barrier Removal SPA Amendment #2
- j. Ordinance No. O2022-003, Final Docket for 2022 Comprehensive Plan Amendments
- k. City of Tumwater and IAFF Local 2409 Contract
- l. Interlocal Agreement Establishing District Court Filing and Jury Trial Fees for Tumwater
- m. Interagency Reimbursement Agreement IAA23787 Between Washington State Administrative Office of the Court and the City of Tumwater
- n. City of Tumwater FIIRE Pilot Program Participation for 2023
- o. South Puget Sound Habitat for Humanity Service Provider Agreement for Affordable Housing Project in Tumwater

**MOTION:**

**Councilmember Swarthout moved, seconded by Councilmember Jefferson, to approve the consent calendar as presented. A voice vote approved the motion unanimously.**

Mayor Sullivan reviewed the items approved on the consent calendar.

**PUBLIC HEARINGS:**

**ORDINANCE NO.  
O2022-020  
ADOPTING A 3RD  
AMENDMENT TO  
THE 2021-2022  
BUDGET:**

Director Niemeyer reported the current budget covering 2021 and 2022 was adopted in December 2020. Prior amendments to the budget were approved in June 2021 and November 2021. Many of the pandemic budget reductions carried forward into the budget. Forecasted revenues for the budget were higher than anticipated enabling the first budget amendment restoring some of the budget cuts and providing a COLA increase for non-represented employees. The second amendment was initiated in response to improved revenues and federal COVID funding enabling the City to fill vacant positions and complete some capital projects. With the year ending strong due to the increase in sales tax receipts, new construction, and reduced expenditures by City departments, a third amendment is proposed for adjusting the budget. The amendment covers an increase in police compensation based on a new contract with the Police Guild of approximately \$325,000 reflecting an increase in benefits and payroll, hiring of several positions, golf bond refinance, building and maintenance equipment, and emergency flood repairs. Staff recommends conducting a

**TUMWATER CITY COUNCIL MEETING  
MINUTES OF HYBRID MEETING  
November 15, 2022 Page 3**

public hearing on the proposed ordinance and considering approval of the amendment or deferring approval until December 6, 2022.

Mayor Sullivan opened the public hearing at 7:23 p.m.

With there being no public testimony, Mayor Sullivan closed the public hearing at 7:23 p.m.

Councilmember Jefferson inquired about the timing of a discussion surrounding the City's potential future budget deficit. City Administrator Doan advised that early next year, the Council is scheduled to discuss and review the City's long-term financial stability based on current economic trends.

**MOTION:**

**Councilmember Althaus moved, seconded by Councilmember Swarthout, to adopt Ordinance No. O2022-020, budget amendment number three. A voice vote approved the motion unanimously.**

**BUDGET PUBLIC  
HEARING #2:**

Director Niemeyer outlined the budget process to date to develop the Mayor's proposed budget. The Council held four workshops on the proposed budget. The proposed budget is scheduled for review and approval by the Council on December 6, 2022.

The General Fund totals approximately \$72 million in projected revenues. The beginning fund balance is \$17 million providing approximately \$90 million in revenue with the budget reflecting expenditures of approximately \$80 million with an ending fund balance at the end of 2024 of approximately \$10 million, which includes the 17% ending reserve amount and \$3.6 million in revenue stabilization. The budget represents approximately \$7.3 million in deficit spending based on the improved ending fund balance from the current biennium. Although the financial cliff continues to loom in the future, the City's ability to make wise financial decisions now and over the next two years will help in moving the financial cliff further out.

Director Niemeyer reviewed the utility funds, golf fund, and capital projects funds for transportation and general government. The total budget is \$194 million in revenue. With \$106 million in ending fund balance from the current biennium, approximately \$300 million is available in revenue with expenditures forecasted at \$217 million leaving a total ending fund balance of \$83 million (all accounts combined) at the end of 2024.

Mayor Sullivan opened the public hearing at 7:31 p.m.

With there being no public testimony, Mayor Sullivan closed the public hearing at 7:32 p.m.

**TUMWATER CITY COUNCIL MEETING  
MINUTES OF HYBRID MEETING  
November 15, 2022 Page 4**

**COUNCIL  
CONSIDERATIONS:**

**PRESERVE PARK,  
AWARD CONTRACT  
AND AUTHORITY  
TO SIGN  
CONTRACT:**

Director Denney presented the proposal for approval and authorization for the Mayor to sign a public works contract. The project is the Preserve Park, located on the south end of the airport within the Preserve subdivision located off Old Highway 99. In 2020 after several years of discussion, the City purchased the park site from Century Homes. The purchase included four house lots and a stormwater pond for the future neighborhood park. Since then, staff worked with the neighborhood to develop a park site plan. Staff released a bid for the project and received six bids.

Director Denney presented an aerial illustration of the park site and identified the type and location of park amenities and the stormwater pond. The developed portion of the park is approximately a half acre in size. The stormwater pond is 2.9 acres in size. The park includes a zip line feature as well. A trail connection connects streets to both sides of the park. The park will feature additional native trees and shrubs to include some pollinator plants in the center of the park and along the north side of the park.

The low bidder was Tapani Inc. from Battleground, Washington of \$579,793.74. The bid was \$91,304.39 below the Engineer's estimate of \$671,098.13. The contract should be negotiated by the end of the year with a pre-construction meeting with Tapani scheduled during the first week of January. Notice to proceed will be issued on January 9, 2023 with 30 days to complete the project by February 21, 2023. Some extra days of work may be necessary if the stormwater pond contains water to complete irrigation work.

Staff requests the Council authorize the Mayor to sign the public works contract with Tapani Inc. for \$579,793.74 to construct the park at the Preserve.

**MOTION:**

**Councilmember Agabi moved, seconded by Councilmember Jefferson, to authorize the Mayor to sign a Public Works contract with Tapani, Inc. of Battle Ground, Washington, in the amount of \$579,793.74, for the Preserve Park construction project. A voice vote approved the motion unanimously.**

**COMMITTEE  
REPORTS:**

**PUBLIC HEALTH &  
SAFETY:  
*Leatta Dahlhoff***

There was no report.

**GENERAL**

The committee met on November 9, 2022 and discussed a resolution for the

**TUMWATER CITY COUNCIL MEETING**  
**MINUTES OF HYBRID MEETING**  
**November 15, 2022 Page 5**

**GOVERNMENT:**  
*Michael Althausen*

Tumwater Cowlitz Trail, a procedure to position the City to receive federal recognition for historic locations in the City. Members reviewed the Comprehensive Plan Update process with focus on the scope and format of the update. Members reviewed two potential multifamily eight-year property tax exemptions, which was referred to a Council worksession on November 22, 2022. The next meeting is on December 14, 2022 to review an ordinance on rental housing registration and a Dispute Resolution Center contract for services to resolve disputes between tenants and landlords.

**PUBLIC WORKS:**  
*Eileen Swarthout*

The next meeting is scheduled on Thursday, November 17, 2022 to discuss the 2023 Fee Resolution, receive an update on the Old Highway 99 Corridor Study, and consider an ordinance for compost procurement.

**BUDGET AND  
FINANCE:**  
*Debbie Sullivan*

There was no meeting and no report.

**MAYOR/CITY  
ADMINISTRATOR'S  
REPORT:**

City Administrator Doan reported on the addition of a clock/timer within the Council Chambers.

Mayor Sullivan reported on her attendance to the Intercity Transit grand opening of the Pattison Street Facility. Approximately 100 individuals attended the event.

**COUNCILMEMBER  
REPORTS:**

*Peter Agabi:*

At the last Transportation Policy Board meeting, members reviewed grant proposals for forwarding a funding recommendation to the Thurston Regional Planning Council (TRPC). The City of Tumwater was recommended to receive approximately \$1.9 million for transportation projects. TRPC is scheduled to vote on the recommended list of projects to fund at the December 2, 2022 meeting. During the meeting, members received an update on the proposal by the Commercial Aviation Coordinating Commission to locate an airport in Thurston County. Members voted to oppose the siting of an airport in Thurston County. TRPC staff presented information on the Human Services Transportation Plan (HSTP) Update. The plan must be updated every four years to ensure the region is eligible to receive federal funds.

*Michael Althausen:*

At the last meeting of the Regional Fire Authority Planning Committee, members voted to recommend approval of the RFA Plan to City of Olympia and City of Tumwater Councils.

At the last Regional Housing Council meeting, members received a briefing from the Olympic Region Clean Air Agency and OLYMAP on a proposed joint program on the burning of materials by the homeless who live outside

**TUMWATER CITY COUNCIL MEETING  
MINUTES OF HYBRID MEETING  
November 15, 2022 Page 6**

for heat and cooking. The goals of the program is reducing nuisance smoke to nearby neighborhoods, increasing safety for individuals with no housing, and providing resources to prevent the ill effects of exposure from outside elements. The cost of the program is approximately \$140,000 annually serving several hundred clients each month. The Council took no action and agreed to pursue more information about the proposed program.

***Charlie Schneider:***

Councilmember Schneider acknowledged the importance of recognizing November as *American Indian and Alaska Native Month*. Having called Las Vegas as home for many years, it afforded him the opportunity to visit many Pueblo villages and Indian reservations in the area known as the Four Corners of the United States. He became acquainted with the Hopi Nation while visiting the Southwest in the area near Monument Valley. He helped in the building of affordable housing comprised of straw-built homes during the summers with a local non-profit organization. He cited several other stories of his experiences with Native Americans in the Southwest to include spending time with a Navajo code talker who had served in the military.

***Joan Cathey:***

Councilmember Cathey complimented staff for the postcard inviting community members to help steward Tumwater's urban and community forest. The postcard was very informative and represents the City's plan to update tree and vegetation protection ordinances.

Councilmember Cathey attended the Solid Waste Advisory Committee meeting with members focused on serving south Thurston County by adding a transfer station.

At the last Olympic Region Clean Air Agency meeting, members continued its discussion on outdoor burning.

Councilmember Cathey also attended the General Government Committee meeting and the Regional Housing Council meeting.

Councilmember Cathey commented on the recent passing and loss of former Lacey City Councilmember Virgil Clarkson. The community has lost a great spirit who was a great advocate for people who needed help.

***Eileen Swarthout:***

Councilmember Swarthout attended the last RFA Planning Committee.

***Angela Jefferson:***

On November 8, 2022, Councilmember Jefferson attended the Thurston Chamber of Commerce November Forum with Councilmember Schneider. The topic was on how to tackle impacts of increased crime on business. The guest speakers were Washington State Attorney General Bob Ferguson and the CEO of the Washington Retail Association. The impact of the criminal attacks in the state is the loss of \$2.7 billion. Organized retail crime is sophisticated and is much more rampant than typical retail theft

**TUMWATER CITY COUNCIL MEETING  
MINUTES OF HYBRID MEETING  
November 15, 2022 Page 7**

and shoplifting incidents. It is a network of criminals to include child and sex trafficking and major drug trafficking networks. It has taken a toll both mentally and physically on community members who work in retail establishments. Better coordination is needed between business owners and law enforcement as many of the stolen products are sold online. Business owners are encouraged to visit the Washington Retail Association website to view free resources for their business and participate in supporting legislation to combat the crimes.

Councilmember Jefferson participated in a field trip with Experience Olympia and Beyond during its Board retreat. The trip included visits to three local colleges. Participants met with students, faculty members, and career counselors.

**ADJOURNMENT: Councilmember Swarthout moved, seconded by Councilmember Jefferson, to adjourn the meeting at 8:13 p.m. A voice vote approved the motion unanimously.**

Prepared by Valerie L. Gow, Recording Secretary/President  
Puget Sound Meeting Services, [psmsoly@earthlink.net](mailto:psmsoly@earthlink.net)